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OCT 12 2005

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

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5 Attorneys for Defendants
6 NEW YORK TIMES COMPANY LONG TERM
DISABILITY PLAN, NEW YORK TIMES
COMPANY FLEXIBLE BENEFITS PROGRAM,
7 NEW YORK TIMES COMPANY SUPPLEMENTAL
RETIREMENT AND INVESTMENT PLAN and
8 NEW YORK TIMES COMPANY PENSION PLAN

9 D. Gregory Valenza (SBN 161250)
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Submitting Counsel are directed to serve this
order upon all other parties in this action.

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14 UNITED STATES DISTRICT COURT
15 NORTHERN DISTRICT OF CALIFORNIA

16

17 SIENNA HORNBACK,

Case No. C 05-00508 SBA

18 Plaintiff,

STIPULATION AND [PROPOSED]
ORDER TO DISMISS CERTAIN
DEFENDANTS WITH PREJUDICE

19 v.
20 NEW YORK TIMES COMPANY LONG
TERM DISABILITY PLAN;
21 METROPOLITAN LIFE INSURANCE
COMPANY; NEW YORK TIMES
COMPANY FLEXIBLE BENEFITS
PROGRAM; NEW YORK TIMES
COMPANY SUPPLEMENTAL
RETIREMENT AND INVESTMENT PLAN;
24 NEW YORK TIMES COMPANY PENSION
PLAN,

25 Defendants.

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28

09/30/2005 11:35 7077952922
09/12/2005 11:51 MAI 416 5455

RICHARD JOHNSTON

PAGE 02

1 The plaintiff and their respective counsel, hereby stipulate and agree to dismissal of
2 defendants NEW YORK TIMES COMPANY FLEXIBLE BENEFITS PROGRAM, NEW
3 YORK TIMES COMPANY SUPPLEMENTAL RETIREMENT AND INVESTMENT PLAN,
4 AND NEW YORK TIMES COMPANY PENSION PLAN, with each party to bear its and her
5 own costs and expenses.

6 Dated: June 12, 2005

7 By Richard Johnston
8 Richard Johnston
9 Attorneys for Plaintiff
10 SIENNA HORBACK

11 Dated: June 12, 2005

JACKSON LEWIS LLP

12
13 By Gregory I. Rasin, Admitted Pro Hac Vice
14 Steven D. Hurd, Admitted Pro Hac Vice
15 D. Gregory Valenza
16 Allison M. Dibley
17 Attorneys for Defendants
18 NEW YORK TIMES COMPANY LONG TERM
19 DISABILITY PLAN, NEW YORK TIMES
20 COMPANY FLEXIBLE BENEFITS PROGRAM,
21 NEW YORK TIMES COMPANY
22 SUPPLEMENTAL RETIREMENT AND
23 INVESTMENT PLAN and NEW YORK TIMES
24 COMPANY PENSION PLAN.

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ORDER

IT IS HEREBY ORDERED that Defendants NEW YORK TIMES COMPANY FLEXIBLE BENEFITS PROGRAM, NEW YORK TIMES COMPANY SUPPLEMENTAL RETIREMENT AND INVESTMENT PLAN, AND NEW YORK TIMES COMPANY PENSION PLAN shall be dismissed from the within action, with prejudice, with each party to bear its and her own costs and attorneys' fees.

Dated: 10-12-85

Hon. Saundra B. Armstrong
U.S. DISTRICT COURT JUDGE